

REMARKS

I. INTRODUCTION

Claims 1-49, 52, 53 62 and 63 have been cancelled. Claims 50, 60, and 70 have been amended. Support for these amendments can be found at least in ¶ [0079] of the published specification. Thus, claims 50, 51, 54-61, and 64-70 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 112 REJECTION SHOULD BE WITHDRAWN

Claims 50, 60, and 70 stand rejected under 35 U.S.C. §112, second paragraph, for being indefinite. In light of the amendments to these claims, the withdrawal of this rejection is respectfully requested.

III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 50 ,51, 55, 56, 60, 61, 65, 66, and 70 stand rejected under 35 U.S.C. §103(a) for being obvious over Gullman et al. (U.S. Patent No. 5,280,527) in view of Zingher et al (U.S. Patent No. 5,731,575) and further in view of Haverstock et al. (U.S. Patent No. 6,701,376).

Claim 50 recites in relevant portion, “ *if a duress password is entered for authenticating the user, the processor replaces the data of the memory with non-sensitive data.*”

The Examiner correctly acknowledges that Gullman fails to disclose the use of a duress password. (See 12/23/08 Office Action, p. 4, ll. 7-10). To cure this deficiency, the Examiner relies on Zingher. Zingher teaches a “system and method for the discrete identification of a duress transaction at an ATM banking machine.” (See Zingher, Abstract). Furthermore, Zingher teaches a Personal Distress Number (PDN) that is

entered by a user when a criminal is threatening the user. The PDN is a variation of the actual Personal Identification Number (PIN). However, Zingher fails to disclose or suggest that “*if a duress password is entered for authenticating the user, the processor replaces the data of the memory with non-sensitive data,*” as recited in claim 50.

The Examiner further relies on Haverstock in order to cure the deficiencies of Gullman and Zingher with respect to the recitation of “*the entry of the duress password replaces the data of the memory with non-sensitive data*” as previously recited in claim 50. However, Applicants respectfully submit that Haverstock fails to cure the deficiencies presented above with respect to Gullman and Zingher. Haverstock teaches the use of dynamic generation, which, if a document contains certain fields that are access controlled, “allows the system to update a user’s role with the current privileges and restrict access as required.” (See Haverstock, col. 7, ll. 50-57). That is, dynamic generation only displays the fields that a certain user is authorized to view. However, Haverstock fails to disclose or suggest “*if a duress password is entered for authenticating the user, the processor replaces the data of the memory with non-sensitive data,*” as recited in claim 50.

Therefore, Applicants respectfully submit that Gullman, Zingher, and Haverstock, taken alone or in any combination, fail to disclose or suggest “*if a duress password is entered for authenticating the user, the processor replaces the data of the memory with non-sensitive data,*” as recited in independent claim 50 and, similarly, in independent claims 60 and 70. It is therefore respectfully submitted that these claims are allowable. Because claims 51, 55, and 56 depend on and, therefore, contain all of the limitations of claim 50, it is respectfully submitted that these claims are also allowable. Because claims 61, 65, and 66 depend on and, therefore, contain all of the limitations of claim 60, it is respectfully submitted that these claims are also allowable.

Claims 54, 57-59, 64, and 67-69 stand rejected under 35 U.S.C. §103(a) for being obvious over Gullman in view of Zingher, in further view of Haverstock, and further in view of Chou et al. (U.S. Patent No. 5,638,444).

Applicants respectfully submit that Chou fails to cure the above mentioned deficiencies of Zingher and that Gullman, Zingher, Haverstock, and Chou, taken alone or in combination, fail to disclose or suggest “*if a duress password is entered for authenticating the user, the processor replaces the data of the memory with non-sensitive data,*” as recited in independent claim 50 and, similarly, in independent claim 60.

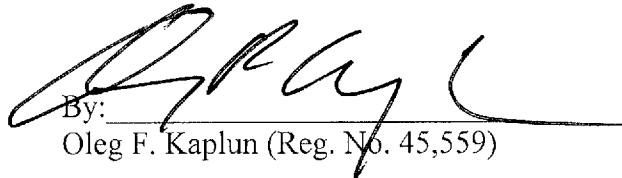
Because claims 54 and 57-59 depend on and, therefore, contain all of the limitations of claim 50, it is respectfully submitted that these claims are allowable. Because claims 64 and 67-69 depend on and, therefore, contain all of the limitations of claim 60, it is respectfully submitted that these claims are also allowable.

CONCLUSION

In view of the above remarks, it is respectfully submitted that all the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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